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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 12 OF 2007
IN
LETTERS PATENT APPEAL No. 11 OF 2007

Office notes, office memoranda of coram, appearances, Court's orders directions & Registrar's orders	Court's or **Judge's** order

Mr. J.M. Puranik , Advocate for the applicant.

Mr. S. P. Kadam, advocate for respondent.

CORAM: J. N. PATEL,
AND
A. A. SAYED, JJ.

DATE : APRIL 21, 2007.

P.C.:

. Heard. Affidavit in reply tendered by the respondent in the court is taken on record. Copies thereof are furnished to the other side. In view of the fact that the appellant is

being paid maintenance in terms of the order passed by the Division Bench of this Court in M.J. Petition No. A-566/2000 and Civil Writ Petition No. 2395/2002, we are not inclined to consider prayer in the application, in so far as entitlement of arrears as to interim maintenance, which can only be decided on final hearing of Letters Patent Appeal. Therefore the application is rejected.

2. It will be open for the parties to move the court after summer vacation 2007, to take up the Letters Patent Appeal for final hearing, considering the fact that they are senior citizens.

Sd/-
[A. A. SAYED, J.]

Sd/-
[**J. N. PATEL, J.]**